

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**BLUE SPIKE, LLC,  
Plaintiff,**

**v.**

**TEXAS INSTRUMENTS, INC.,  
Defendant.**

**6:12-cv-00499-MHS  
LEAD CASE**

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**BLUE SPIKE, LLC,  
Plaintiff,**

**v.**

**AGNITIO CORP.,  
Defendant.**

**6:13-cv-00129-MHS  
CONSOLIDATED CASE**

**DEFENDANT AGNITIO CORP.'S UNOPPOSED MOTION FOR LEAVE TO FILE  
EXHIBITS UNDER SEAL PURSUANT TO LOCAL RULE CV-5(a)(7)**

Pursuant to Local Rule CV-5(a)(7), Defendant Agnitio Corp. ("Agnitio") files this Unopposed Motion for Leave to File Exhibits Under Seal, and would show the Court as follows:

1. Concurrent with this Motion, Defendant Agnitio Corp. is filing its Opposition to Plaintiff Blue Spike, LLC's ("Blue Spike") Motion to Authorize Jurisdictional Discovery (Dkt. 936). In support of its Response, Agnitio is including interrogatory responses that contain confidential and proprietary business information, and/or trade secrets, the public dissemination and disclosure of which could severely injure or damage Agnitio and place it at a competitive disadvantage. *See* Decl. D. Hwang at ¶ 2.

2. Good cause exists for granting Agnitio's Motion. Because this case remains in the early stages of litigation, the parties have not yet negotiated, and this Court has not yet

entered a Protective Order that permits Agnitio to file its responses under seal without leave of Court.

3. To adequately ensure that Agnitio's confidential and proprietary business information is not publicly disseminated, Agnitio seeks leave to file the Exhibits in Support of its Opposition to Plaintiff's Motion to Authorize Further Jurisdictional Discovery under seal. *See* Decl. D. Hwang at ¶ 2.

4. Counsel for Agnitio conferred with counsel for Blue Spike, and Blue Spike does not oppose this Motion or the relief requested in it.

Agnitio therefore respectfully requests the Court to grant it leave to file its Exhibits to Plaintiff's Opposed Motion to Authorize Further Jurisdictional Discovery under seal.

Dated: September 13, 2013

Respectfully submitted,

/s/ Michael T. Murphy

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**ATTORNEYS FOR  
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**CERTIFICATE OF CONFERENCE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-7(h) and CV-7(i), I certify that on September 13, 2013, counsel for Defendant Agnitio Corp., Jennifer Klein Ayers, conferred with lead counsel of record for Plaintiff Blue Spike, LLC, Christopher Honea, regarding the relief requested in this Motion. Plaintiff Blue Spike, LLC, does not oppose the Motion.

Dated: September 13, 2013

/s/ Michael T. Murphy  
Michael T. Murphy

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and the Local Rules of this Court, I certify that on September 13, 2013, I served a copy of the forgoing on all counsel of record who have appeared in this Action via the Court's ECF/CM system.

Dated: September 13, 2013

/s/ Michael T. Murphy  
Michael T. Murphy